

## **REMARKS**

### **I. Responses to Examiner's Remarks**

The applicants appreciate the Examiner's careful attention to this application. Reconsideration of the application is respectfully requested.

### **II. Discussion of Amendments (Support Identified)**

Applicants have made amendments to the claims. Applicants submit that no new matter has been added to the claims. Applicants have made these amendments for the sole purpose of facilitating the expeditious allowance of the subject matter identified as allowable by the Examiner. Applicants make no admission herein that any cancelled or amended claims in their original form is non-patentable, nor do Applicants disclaim the subject matter of any cancelled or amended claims or dedicate them to the public. If any such disclaimers are believed to have been made, Applicants explicitly rescind them for the purpose of future applications to permit recapture of the original subject matter of any cancelled or amended claims. Applicants reserve the right to file future applications for letters patent directed to the original subject matter of any cancelled or amended claims. Support for the amendments may be found in the specification as originally filed as discussed below.

Claim 60 is cancelled, which requires no particular support in the written description.

Claim 64 is amended to insert the element of "having at least one of bacteriolytic activity and glycosidase activity." Bacteriolytic activity is supported at least on page 18

line 13 of the specification. Glycosidase activity is supported at least on page 15 line 18 through page 16 line 4.

Claim 66 is amended to delete the element of "where the polypeptide express at least one of an endopeptidase or a glycosidase activity." Applicant submits that deletion of this element requires no particular support in the specification.

The specification has been amended to remove the active hyperlink from page 8. Although the active hyperlink has been removed, the disclosure has not been affected.

## CONCLUSION

The Applicants respectfully request the Commissioner of Patents consider the enclosed remarks and enter the following submission into the record, in response to the Notice of Non-Compliant Amendment dated 7/15/2009. Reconsideration in light of this submission is respectfully requested. If the Examiner requires additional action that may benefit from a telephone call, Applicants invite a call to its attorney of record, Nicholas J. Landau (Reg. No. 57,120). E-mail correspondence and transactions to [nlandau@babco.com](mailto:nlandau@babco.com) are authorized and encouraged.

Applicants have diligently sought to comply with all requirements and to correct all informalities and rejections. The Application is believed to be in condition for allowance, and a timely Notice of Allowance is respectfully requested.

Respectfully submitted,  
BRADLEY ARANT BOULT CUMMINGS LLP

7/15/09  
Date

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